

An Obi And Too Long For A Tasuki, 5 Comp. Lit. Jnl. 23 (1999).

Wagnild, Craig P., Civil Law Discovery in Japan: A Comparison of Japanese and U.S. Methods of Evidence Collection in Civil Litigation, 3 Asian-Pacific L. & Pol'y J. 1 (2002).

Watts, R.E., Briefing the American Negotiator in Japan, 16 Int'l Law. 597, (1982).

Yamanouchi and Cohen, Understanding the Incidence of Litigation in Japan: A Structural Analysis, 25 Int'l Law. 443 (1991).

**EXHIBIT B**

U.S. Embassy – Japan, Taking Depositions in Tokyo,  
<http://tokyo.usembassy.gov/e/acs/tacs-7116.html> (last visited Sept. 27, 2010)



EMBASSY OF THE UNITED STATES  
**JAPAN**

U.S. DEPARTMENT OF STATE



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日本語

## Taking Depositions in Tokyo

Taking a deposition in Japan can be complex; depositions are controlled by detailed agreements between the United States and the Government of Japan, and procedures cannot be modified or circumvented. Orders by U.S. courts cannot compel the Government of Japan to amend or overlook its judicial regulations and procedures. In addition, the Embassy cannot compel the Government of Japan to act faster, or in a way more convenient or beneficial to any party, even with a U.S. court order requesting such action.

The best way to ensure the success of your deposition is by careful reading of these instructions, and carefully following the steps outlined below.

Processing times can vary; clearance and visa issues solely under the control of the Government of Japan can take several weeks or longer, so it is never too early to begin the process.

*US Government officials, please follow this link for additional instructions.*

### Availability of Tokyo's Deposition Room

All depositions must occur at the Embassy or at our Consulate in Osaka-Kobe (these instructions apply only to the Embassy; follow this link if you are seeking to depose in Osaka).

You cannot depose outside of the Embassy or Consulate, such as at a hotel or private office.

While electronically recording depositions is permissible, the Ministry of Foreign Affairs has informed the U.S. Embassy that Japan does not permit telephone or videoconferenced depositions. However, videotaping is permitted. We do not have videoconferencing or teleconferencing equipment available.

### Tokyo Availability

2010:

No dates available.

2011:

January 3 - March 8

March 14 -

This page is updated regularly, so please check back for updates.

*The American Embassy is closed on both U.S. and Japanese holidays.*

## Overview of the Deposition Process

*As soon as possible*

Reserve Deposition Room  
by phone or by fax

We are open 8:30-13:00, 14:00-17:30, Mon - Fri,  
closed Japanese and U.S. holidays.  
Tel: 81-3-3224-5174 or Fax: 81-3-3224-5856. Before  
calling, check the current local time in Tokyo.

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*Within three weeks from the date the tentative  
reservation was made*

Pay the \$1,283.00 reservation fee by international  
money order or certified bank check payable to the  
"U.S. Embassy, Tokyo, Japan." Personal or corporate  
checks are not acceptable. All funds must be in U.S.  
dollars and checks must be drawn on a U.S. bank.

Mail the check to us at: U.S. Embassy Tokyo, attention  
American Citizen Services - Deposition, 10-5, Akasaka,  
1-chome, Minato-ku, Tokyo, Japan, 107-8420.  
Telephone 03-3224-5000.

*Read more information here.*

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*One month prior to the deposition*

Court order/commission, and statutory deposition fees  
express-mailed to:

U.S. Embassy Tokyo, attention American Citizen  
Services - Deposition, 10-5, Akasaka, 1-chome,  
Minato-ku, Tokyo, Japan, 107-8420. Telephone 03-  
3224-5000.

*Read more information here.*

*See sample commission text here (PDF format).*

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*At least three weeks prior to the deposition*

Apply for a deposition visa at the Japanese Embassy or a consulate in the U.S.

You cannot apply for your visa until the steps above have been completed and we have scheduled your deposition. The Embassy cannot assist you in obtaining your Japanese visa; contact a travel agent or the Japanese Embassy or Consulate nearest you.

*Read more information here.*

*Information for American Attorneys Residing in Japan.*

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*At one week prior to the deposition*

FAX a list of all participants in your deposition and all electronic equipment to be used to the U.S. Embassy Tokyo, 81-3-3224-5856. This is necessary for our security office to allow you into our building.

## Detailed Instructions

This flow chart is only an overview of the process; before beginning to schedule your deposition, please review carefully our detailed instructions to avoid delays.

## Important Notes

- The Japanese Ministry of Foreign Affairs has informed the U.S. Embassy that Japan does not permit telephone or videoconference depositions. However, videotaping is permitted. Participants must be physically present at the Embassy.
- Per the Government of Japan, all depositions must take place on Embassy or Consulate premises; no exceptions are allowed for hotel conference rooms or the like.
- All persons participating in a deposition must have the proper Japanese visa.

## Support Staff

The Embassy does not supply and cannot arrange interpreters, court reporters, video crews and the like. Follow the links below to for staff who you can contact independently to arrange for your support needs.

- ▶ Stenographic, interpretation and translation services.
- ▶ Video services.
- ▶ English-speaking Local Attorneys in the Tokyo area.
- ▶ Other Resources and Services.

## Your Deposition at the Embassy

Your use of the deposition room falls under the general security guidelines that govern all visitors to the Embassy. Please note:

- ▶ The room is yours to use 8:30-13:00 and 14:00-17:00, Mon - Fri, closed Japanese and U.S. holidays.
- ▶ All persons entering the Embassy must present photo ID (preferably a passport) and submit to a bag and a metal detector screening.
- ▶ You may not bring any electronic devices into a U.S. diplomatic facility (Embassy or consulate) except those pre-approved by Embassy officials for recording the deposition.  
**For equipment allowed into any U.S. diplomatic facility, no computer or other electronic device may be connected to any network, whether wired or wireless. Any removable PCM card, USB device, or smart card providing wireless functionality must be removed from the computer or electronic device for the period while the computer or electronic device is on the premises, and any non-removable wireless functionality must be turned off. No picture taking is allowed in or around U.S. diplomatic facilities.**
- ▶ No cell phones are allowed inside the Embassy. A pay phone is available just outside the deposition room.
- ▶ You may not bring food or drinks into the Embassy. Vending machines are available near the deposition room.
- ▶ We have no photocopier available for deposition use. Copies can be made at a convenience store across the street from the Embassy.
- ▶ There is no smoking anywhere in the Embassy.

public transportation or taxi; here is a map).

- You must vacate the deposition room between 1300-1400. Several tasty restaurants are within walking distance of the Embassy.
- We are unfortunately unable to take phone messages, make calls or send/receive FAXes for you.
- The deposition room seats about 8 people and is air conditioned. Limited electrical power is available, with standard U.S.-style plugs but 100V, 50 Hz power. Only dual-voltage, 50/60hz laptops will work; others require an adaptor you must purchase yourself.
- Restrooms and a drinking fountain are available just outside the deposition room.

#### Other Judicial Assistance Information

- Visas for Attorneys Deposing in Japan.
- US government officials, please follow this link for additional instructions.

For additional questions, please contact the office of Overseas Citizens Services, U.S. Department of State, (202) 647-3675, or visit their web page at [travel.state.gov](http://travel.state.gov).

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